

RECEIVED

JAN - 7 2022

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

Plaintiff(s), DEREK BROOKS

v. ROBERT L. WILKIE

DEPARTMENT OF VETERANS AFFAIRS
SECRETARY OF AFFAIRS.

Case No. 4:21-CV-01326 MTS

(to be assigned by Clerk of District Court)

JURY TRIAL DEMANDED

YES ☐ NO ☐

Defendant(s). (Enter above the full name(s)
of all defendants in this lawsuit. Please
attach additional sheets if necessary.)

EMPLOYMENT DISCRIMINATION COMPLAINT

AMENDED

1. This employment discrimination lawsuit is based on (check only those that apply):

☒ Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin.
NOTE: *In order to bring suit in federal district court under Title VII, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

☐ Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.*, for employment discrimination on the basis of age (age 40 or older).
NOTE: *In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.*

☐ Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et seq.*, for employment discrimination on the basis of disability.
NOTE: *In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, *et seq.*, for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance.

NOTE: *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office representative or agency.*

Other (Describe) - Wrongfully termination
- Retaliation
- failure to accommodate my disability

PARTIES

2. Plaintiff's name: DEREK BROOKS

Plaintiff's address: 2715 CENTER ST Apt C
Street address or P.O. Box

GRANITE CITY, IL. 62040
City/County/State/Zip Code

1-314-755-2240
Area code and telephone number

3. Defendant's name: ROBERT L. WILKIE, DEPARTMENT SECRETARY of VETERANS AFFAIRS

Defendant's address: (024) 810 VERMONT AVENUE, NW, WASHINGTON D.C. 20420
Street address or P.O. Box D.C. 20420

N.W. Washington. DC 2040
City/County/State/Zip Code

Area code and telephone number

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES AND TELEPHONE NUMBERS ON A SEPARATE SHEET OF PAPER.

4. If you are claiming that the discriminatory conduct occurred at a different location, please provide the following information:

915 North Grand Blvd St. Louis Mo. 63106
(Street Address) (City/County) (State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

Oct 19, 2018

ADMINISTRATIVE PROCEDURES

6. Did you file a charge of discrimination against the defendant(s) with the Missouri Commission on Human Rights?

☐ Yes Date filed: _____
☒ No

7. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

☒ Yes Date filed: 2-23-2018
☐ No

8. Have you received a Notice of Right-to-Sue Letter?

☒ Yes ☐ No

If yes, please attach a copy of the letter to this complaint.

9. If you are claiming age discrimination, check one of the following:

____ 60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

____ fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

NATURE OF THE CASE

10. The conduct complained of in this lawsuit involves (check only those that apply):

☐ failure to hire me

☒ termination of my employment

☐ failure to promote me

☒ failure to accommodate my disability

☐ terms and conditions of my employment differ from those of similar employees

☒ retaliation

☐ harassment

☐ other conduct (specify):

Did you complain about this same conduct in your charge of discrimination?

☒ Yes

☐ No

11. I believe that I was discriminated against because of my (check all that apply):

☒ race

☐ religion

☐ national origin

☐ color

☐ gender

☒ disability

☐ age (birth year is: _____)

☒ other:

Did you state the same reason(s) in your charge of discrimination?

☒ Yes

☐ No

12. State here, as briefly and clearly as possible, the essential facts of your claim. Describe specifically the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct. Take time to organize your statement; you may use numbered paragraphs if you find it helpful. It is not necessary to make legal arguments, or to cite cases or statutes.

1. MANAGEMENT - failure to accommodate my disability due to the oct 19 incident and assault on me MR Brooks at John Cochran VA Hospital, after being assaulted by supervisor TED WALKER, MANAGEMENT seen forth to put me back on the same tour of duty and which TED WALKER also was present which caused me to be in a hostile environment.
 SEE - EXHIBIT A of report of police report and witness signed statements.

(Continue to page 6, if additional space is needed.)

Employment due to hearsay in which Michael Bock Supervisor stated that it was overheard me Mr Brooks calling him a derogatory word.

Mr Michael Bock retaliated towards me Brooks due to previous write in which I wrote to the Union on him and the Harassment of AFRICAN AMERICANS

* SEE Attachments of write up which occurred against supervisor Michael Bock of statements and witnesses

Exhibit B

* Management also breached the contract in which I signed the LCA Last Chance agreement.

In a sense I retaliated upon due to false accusation and defamed by supervisor Michael Bock which led to termination

* Management have no proof of me Mr Brooks calling or saying to supervisor of me Mr Brooks directing or using that language towards the supervisor Michael Bock but I have statement and witnesses written statement that it was never heard.

(Attach additional sheets as necessary).

13. The acts set forth in paragraph 12 of this complaint:

- ☐ are still being committed by the defendant.
- ☐ are no longer being committed by the defendant.
- ☐ may still be being committed by the defendant.

REQUEST FOR RELIEF

State briefly and exactly what you want the Court to do for you. Make no legal arguments;

cite no cases or statutes.

1. I would like the court seek monetary Award from terminated Employment till this day.
2. I would like to be made whole.
3. I would like the court to diminish the termination so that I could government Employment
4. I would like to obtain monetary so that I could buy my military time back

14. Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule

Heur Brosky

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6 day of JANUARY, 20 22.

Signature of Plaintiff Alex Brooks

Alex Brooks